

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
v.) C.A. No. 17-10332-NMG
EDWARD J. ABELL, III)
)

**DEFENDANT'S EMERGENCY MOTION TO CONTINUE
STATUS CONFERENCE & STATUS REPORT *NUNC PRO TUNC***

NOW COMES the Defendant, through counsel, and hereby respectfully moves this Honorable Court to continue the Status Conference in this case which was scheduled for July 26, 2018 and to reschedule it for Friday, July 27, 2018 or to continue the Status Conference for not more than 30 days based upon the Status Report below. In support thereof, counsel states the following:

1. On July 26, 2018, the undersigned counsel was dealing with a medical emergency to a family member and was unable to attend the Status Conference.
2. Counsel has communicated with the AUSA and both counsel are available for a Status Conference on July 27, 2018, following this Court's jury trial.
3. Alternatively, counsel states that on July 16, 2018, he received another batch of requested documents from a third party that the Government had requested *in lieu* of a defense subpoena.

4. Because the material provided does not include all of the requested materials it appears that the Defendant will be required to subpoena additional records.
5. Requests for additional information have been handled by the Government in an expeditious manner, but delays are inherent in asking third parties to provide documents.
6. Counsel requires an additional 30 day extension to subpoena the records and determine whether to proceed to a Rule 11 Hearing.
7. No other dates or deadlines set by this Court are effected by the instant request.
8. The Government has not been consulted regarding this request, but is not expected to oppose a short continuance.

WHEREFORE, this Honorable Court is respectfully urged to continue the Status Conference for a period of no more than 30 days.

Respectfully submitted,



Peter Charles Horstmann, Esq.
BBO #556377
Law Offices of Peter C. Horstmann
450 Lexington Street, Suite 101
Newton, MA 02466
(617) 723-1980

CERTIFICATE OF SERVICE

I, Peter Charles Horstmann, Esquire, hereby certify that on this 27th day of July, 2018, a copy of the foregoing Motion to Continue was served electronically upon Jordi de Llano, AUSA, United States Attorneys Office, One Courthouse Way, Boston, MA 02210.



Peter Charles Horstmann, Esq.

SEALED EXHIBIT